

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
	)	
	)	
<b>V.</b>	)	<b>CR. NO. 2:07CR178-WKW</b>
	)	
<b>CHRISTOPHER KENDELL RUSH</b>	)	
	)	

**DEFENDANT’S PROPOSED VOIRE DIRE QUESTIONS**

COMES NOW, the defendant, CHRISTOPHER KENDELL RUSH, by and through his attorney of record, and requests the following be posed to all prospective venire members:

Respectfully submitted this the 21<sup>st</sup> day of January, 2008.

/s/ Roianne Houlton Conner  
ROIANNE HOULTON CONNER  
ATTORNEY FOR DEFENDANT

**ROIANNE HOULTON CONNER  
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<b>UNITED STATES OF AMERICA</b>	)	
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<b>vs.</b>	)	<b>CR. NO. 2:07CR178-WKW</b>
	)	
<b>CHRISTOPHER KENDELL RUSH</b>	)	
	)	

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Defendant's Proposed Voire Dire Questions were served upon the Assistant United States Attorney, Post Office Box 197, Montgomery, AL 36104, by placing a copy of the same in the United States Mail, properly addressed and postage pre-paid, and by Electronic Notice, on this the 21<sup>st</sup> day of January, 2008.

/s/ Roianne Houlton Conner  
ROIANNE HOULTON CONNER

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**JURY SERVICE**

1. Upon your receipt of a jury summons, did any of you immediately wish such notice had not come to you?
2. Do any of you today have personal or business commitments that are on your mind interfering with your willingness to serve on a jury?
3. Should this trial take three, four or five days, does any one have any problems with serving-free from other concerns and obligations?

**SYMPATHY OR EMOTION**

4. The jury will be instructed throughout these proceedings that sympathy should play no role in the decision of the jury. Does any one feel that sympathy for the Government, and the victims of these charges, will play a role in your decision making process?
5. Are you aware that sympathy for the defendant should play no role in your decision and, equally, sympathy for the victim and the family of the victim should play no role in your decision as a jury?

**FIREARMS**

6. Do any of you own firearms?
7. Do any of you feel that people should not have a right to own firearms?

**OPINIONS**

8. There will be numerous opinions in this case. Can you promise to weight such opinions as just that, opinions, meaning, all opinions must be considered in light of all circumstances existing at the time of that incident of time and when an opinion is formed, subject to all circumstances surrounding such opinion?

**EXPERT OPINION**

9. If there will be expert opinions given in this case, can you keep a fair and open mind, giving such credibility as you may to such expert testimony but not being bound by it to the point of excluding proper consideration to all the evidence presented by laymen as well as experts?

**DEFENDANT'S RIGHT TO TESTIFY AND HIS RIGHT NOT TO TESTIFY**

10. On all criminal trials, in our judicial system, a defendant may testify on his own behalf or, he may decide not to testify. That decision is his right to make.
11. Do any of you feel that should Mr. Rush decide not to take the stand and testify that he must be hiding something?
12. Would any of you hold his action of not testifying against him, or would his decision bother you or can you follow our law that the defendant has that right at his trial?

**THE DIFFERENCE BETWEEN CIVIL AND CRIMINAL PROCEEDINGS**

13. Do you all understand that in civil trials money or some other equitable relief is an issue?
14. Do you all understand that in a criminal trial life, liberty and property are at stake and such proceedings are much more important to the rights of a defendant? A presumption of innocence in favor of the defendant is a far greater right and presumption than the civil issues of money and property- do you so understand?

**BURDON OF PROOF**

15. Do you all understand that when the United States charges someone they must come forward with proof of that charge and if they do not come forward with the necessary degree of proof the verdict would have to be not guilty?
16. Do you understand the defendant has no burden of proof in this case?
17. Does any one believe that it is unfair for the United States to be held to such a standard and burden of Proof?

**KNOWLEDGE OF THE MEMBER'S OF THE UNITED STATES ATTORNEY'S**

**STAFF AND PROCECUTORS**

18. Do any of you know or associate with, personally or in your business, with any member of the United States Attorney staff or its prosecuting attorney?
19. Have any of you ever been a witness for the United States in a criminal proceeding?
20. Have any of you ever been represented by the specific prosecutor in this case- Honorable Verne H. Speirs, Assistant United States Attorney?
21. Do you have any association with the prosecutor?

**LAW ENFORCEMENT**

22. Does any one have any past experience as a law enforcement officer or been employed by any agency of law enforcement?

**ASSOCIATIONS WITH WITNESSES**

23. The following witnesses are expected to be called in this case. Do any of you know or are you associated with:
- a. Christopher Kendell Rush
  - b. LaSheilda Gardner
  - c. Micah Andre Davis
  - d. Lashonda Williams
  - e. Any others identified by the United States.

**OBJECTIONS TO EVIDENCE**

24. There will no doubt be various objections to certain questions in this trial. Will you agree not to hold it against the prosecutor or myself if we make these objections?
25. Will you agree to permit objections to be voiced as efforts in good faith and in a genuine belief of their validity rather than as something sinister or any effort to hide something from you?